

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 11-51 (As Amended)

Introduced by Council President Boniface at the request of the County Executive
Legislative Day No. 11-23 Date October 18, 2011

~~AN ACT~~ AN EMERGENCY ACT to repeal and reenact, with amendments, Chapter 82, Building Construction, of the Harford County Code, as amended; to provide that Harford County shall adopt as its standard for building regulations the 2012 International Building Code, the 2012 International Residential Code and the 2012 International Mechanical Code with certain amendments thereto; to provide for an emergency measure relating to the installation of approved automatic residential fire sprinklers in certain dwellings; to provide for a certain effective date for automatic residential fire sprinklers in certain dwellings; to further provide penalties for the violation of the building standards; and generally relating to buildings and construction in Harford County, Maryland.

By the Council, October 18, 2011

Introduced, read first time, ordered posted and public hearing scheduled

on: November 15, 2011

at: 6:30 PM

By Order: Pamela Meester, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on November 15, 2011, and concluded on November 15, 2011.

Pamela Meester, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland that Chapter 82, Building Construction, of the Harford County Code, as amended, be, and it is hereby, repealed and reenacted, with amendments, all to read as follows:

Chapter 82. Building Construction

Article I. [2009]2012 International Building Code

§ 82-1. Adoption of [2009]2012 International Building Code by reference.

A. The [2009]2012 International Building Code (hereinafter referred to as the Building Code, or code) published by the International Code Council, Inc., is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, subsections and/or additions as are specified in this chapter. If conflicts with this code, or with changes, amendments, revisions, deletions, subsections, and/or additions to that code are found elsewhere in the County Code, the most restrictive provisions shall govern.

B. At least one copy of this code and supplements thereto shall be on file and open for public use, examination and inspection in the office of the Director of Administration and in the office of the Council Administrator.

§ 82-2. Modifications.

A. Definitions.

(1) As used in this code, the term "building official" means the Director of the Department of Inspections, Licenses and Permits.

(2) As used in this code, the term "Department of Building Safety" means the Department of Inspections, Licenses and Permits.

(3) As used in this code, the term "Harford County Hazardous Materials Team" means the Harford County Hazardous Materials Team as created by the Harford County Division of Emergency Operations.

(4) As used in this code, the term "ICC Electrical Code" means the Harford County

Electrical Code, Chapter 105 (Article I, Section 105-3, *et seq.*) of the Harford County Code.

(5) As used in this code, the term "International Fuel Gas Code" means the Harford County Plumbing Code, Chapter 202 (Section 202-1, *et seq.*) of the Harford County Code.

(6) As used in this code, the term "International Plumbing Code" means the Harford County Plumbing Code, Chapter 202 (Section 202-1, *et seq.*) of the Harford County Code.

(7) As used in this code, the term "ICC/ANSI 117.1" means the Maryland Accessibility Code set forth in Code of Maryland Regulations, Title 5, Subtitle 05.02.02.

B. The following sections are changes or additions to certain sections of the [2009]2012 International Building Code.

(1) Subsection 101.1 is hereby amended by substituting "Harford County, Maryland" for "name of jurisdiction" in the second line.

(2) Subsection 101.2.1 is deleted and the following is inserted in lieu thereof:

"101.2.1 Appendices. Provisions in Appendix B, Board of Appeals; Appendix C, Group U - Agricultural Buildings; Appendix F, Rodent Proofing; and Appendix I, Patio Covers, are adopted as part of the Harford County Building Code."

(3) Subsection 101.4.4 is deleted.

(4) Subsection 102.6 is amended by deleting "the International Property Maintenance Code" starting in the fourth line.

(5) Subsection 103.3 is amended by deleting the last sentence: "For the maintenance of existing properties, see the International Property Maintenance Code."

(6) Subsection 104.6 is amended by adding a new sentence at the end of the section: "Nothing in this section shall be deemed to restrict or otherwise limit the provisions of Section 1-18 of the Harford County Code."

(7) New Subsection 104.12 is added as follows:

1 **"104.12 Restriction of employees.** An official or employee connected with the
2 Department of Building Safety, except one whose only connection is that of a member
3 of the Board of Appeals established under the provisions of Appendix B, shall not be
4 engaged in or directly or indirectly connected with the furnishing of labor, materials or
5 appliances for the construction, alteration or maintenance of a building, or the
6 preparation of construction documents thereof, unless that person is the owner of the
7 building; nor shall such officer or employee engage in any work that conflicts with
8 official duties or with the interests of the Department."

9 (8) Subsection 105.1.1 is deleted.

10 (9) Subsection 105.1.2 is deleted.

11 (10) Subsection 105.2 is amended by deleting subheadings "Electrical" and "Plumbing" and
12 by amending subheading "Building" by adding and modifying the following sub-items:

13 "1. The provisions of this code shall not apply to structures not more than one story
14 in height and are 200 square feet or less in area and are not classified as use
15 Group H, High Hazard.

16 14. The provisions of this code shall not apply to the construction, alteration or
17 modification of an agricultural building, as defined in Section 202 and as
18 identified in Appendix C, Subsection C101.1. A legally existing agricultural
19 building shall not be considered as a 'change of occupancy' that requires a
20 building permit if the subordinate use is in accordance with the limitations set
21 forth in Sections 302.2, 302.2.1 and any code sections referenced therein of the
22 2003 International Building Code. The provisions of this code shall also not
23 apply to an agricultural use area located within an agricultural building on the
24 level of exit discharge, not greater than 3,000 square feet in area, and the
25 agricultural use area does not exceed the tabular values in Table 503 for the
26 allowable height or area of such use.

- 1 15. One story detached accessory structures to use Group R-3, provided the floor
2 area does not exceed 200 square feet.
- 3 16. The provisions of this code respecting agricultural building permit requirements
4 shall be as set forth in the attached table entitled 'Agricultural Buildings
5 Permitting Requirements.'
- 6 17. Construction trailers as defined in Chapter 2 of the International Building Code
7 as adopted."
- 8 (11) Subsection 105.5 is amended by deleting "180 days" in the third line and inserting "12
9 months" in lieu thereof.
- 10 (12) New Subsection 105.6.1 is added as follows:
11 **"105.6.1 Withholding permits.** The building official may withhold the issuance of
12 any permit and/or place a hold on inspections if the applicant, the owner or any
13 individual listed on the application as a responsible officer (if the applicant is a business
14 entity) has failed to remedy or correct any existing/alleged violation of the Harford
15 County Code on any construction projects in Harford County for which the applicant
16 has been cited by any County agency."
- 17 (13) Section 106 is deleted in its entirety.
- 18 (14) Subsection 109.2 is deleted and the following is inserted in lieu thereof:
19 **"109.2 Schedule of permit fees.** On buildings, structures, mechanical systems or
20 alterations requiring a permit, a fee for each permit shall be paid as required, in
21 accordance with Chapter 157 of the Harford County Code."
- 22 (15) New Subsection 110.1.1 is added as follows:
23 **"110.1.1 Purpose of inspections.** All inspections conducted by the Department of
24 Inspections, Licenses and Permits are performed for the protection and promotion of
25 public safety, health and welfare. The inspections are made solely for the public benefit
26 and are not to be construed as providing any warranty of construction to individual

members of the public.”

- (16) New Subsection 110.3.8.1 is added as follows:

“110.3.8.1 Hazardous materials inspections. As deemed necessary by the building official, approval from the Harford County Hazardous Materials Team may be required prior to a certificate of occupancy being issued.”

- (17) New Subsection 110.7 is added as follows:

“110.7 Standards. All buildings, structures and appurtenances thereto shall be constructed strictly in compliance with accepted engineering practice. All members and components of the structure shall be installed, fitted or fastened, moved or stored in such a manner that the full structural capabilities of the members are obtained. Improper alignment (level and square), fitting, fastening or methods of construction shall be considered a violation of this code.”

- (18) Subsection 111.3 is amended by adding the following at the end of the Subsection:

“Any person, firm or corporation engaged in the process of selling property in which a temporary certificate of occupancy is issued shall at the time of settlement present to the buyer a copy of the temporary certificate of occupancy which must include a list of deficiencies that remain to be corrected.”

- (19) Subsection 114.4 is amended by deleting the phrase “shall be subject to penalties as prescribed by law” in the last line and inserting the following in lieu thereof: “shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.”

- (20) Subsection 116.3 is deleted and the following is inserted in lieu thereof:

“116.3 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice of violation that describes the condition deemed unsafe and specifies the required repairs or

improvements to be made to abate the unsafe condition or to demolish the unsafe structure within a (specified period of) stipulated time.

Unless the person served with an order makes a timely request for a hearing pursuant to Section 116.7, the order becomes a final order on the eleventh day after service.

If a person who has been issued an order under this section makes a timely request for a hearing, i.e., requests a hearing within 10 days from service in accordance with Section 116.7, the order becomes a final corrective order if the Director of Administration affirms the order following the hearing.”

(21) New Subsection 116.6 is added as follows:

“116.6 Abatement. If a person who has been issued an order under this section fails, within the time limit specified in a notice of violation or order, to abate the unsafe condition as directed, the Department of Building Safety may take whatever abatement action that may be necessary by use of County employees and equipment and/or by contract with private contractors. The cost and expense of abating the unsafe condition shall be certified by the Department of Building Safety to the County Treasurer together with the name of the owner of the property on which the violation occurred as determined from the property tax assessment records. These charges shall constitute a lien upon the real property and shall be collectible in the same manner as real property taxes with the same priority, interest and penalties. Initiation of abatement action shall not preclude the issuance of any other action or legal proceedings authorized or permitted under this code, the laws of the State of Maryland and the common law.”

(22) New Subsection 116.6.1 is added as follows:

“116.6.1 Notice of abatement action. The Department of Building Safety, before or within 10 days after commencement of any abatement action, shall issue a notice of abatement action to the owner of the property on which the abatement action has been

1 or will be commenced. The notice shall describe the abatement action to be undertaken
2 and shall specify that the costs for the action shall constitute a lien on the real property
3 of the owner.

4 Service of the notice of abatement action issued by the Department of Building
5 Safety shall be served as provided for by Subsection 116.4 of this code."

6 (23) New Subsection 116.7 is added as follows:

7 **"116.7 Hearing.** The property owner or agent receiving a notice of violation issued
8 under Subsection 116.3, a notice of abatement issued under Section 116.6.1 or a lien
9 upon the real property may request a hearing within 10 days from the receipt or posting
10 of such notice or lien issued by the Department of Building Safety. The request must
11 be in writing and served personally on the Director of Administration or by certified
12 mail, return receipt requested, bearing a postmark from the United States Postal
13 Service.

14 The Director of Administration may subpoena anyone having any connection
15 with a hearing under this section as a witness or to give evidence relating to a notice of
16 violation. A subpoenaed witness who is not an employee of the Harford County
17 Government shall receive the same fees and mileage reimbursement as if the hearing
18 were a part of a civil action in the Circuit Court of Maryland."

19 (24) New Subsection 116.8 is added as follows:

20 **"116.8 Finality of lien.** Unless a person served with a notice of abatement makes a
21 timely request for a hearing pursuant to Subsection 116.7, the lien shall become final on
22 the property upon completion of the work. If a person makes a timely request for a
23 hearing, any lien on the property shall become final after completion of all the work the
24 Director of Administration determines was properly conducted by way of abatement
25 action."

26 (25) New Section 117 is added as follows:

"SECTION 117.

EMERGENCY MEASURES

117.1 Imminent danger. When, in the opinion of the building official, there is imminent danger of failure or collapse of a building or structure or any part thereof which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the building or structure, the building official is hereby authorized and empowered to order and require the occupants to vacate the same forthwith. The building official shall post at each entrance of such structure a notice reading as follows: 'This structure is unsafe and its occupancy has been prohibited by the building official. It shall be unlawful for any person to enter such structure except for the purpose of making the required repairs or of demolishing the same.'

117.2 Temporary safeguards. When, in the opinion of the building official, there is imminent danger due to an unsafe condition, the building official may cause the necessary work to be done to render such structure temporarily safe, whether or not the legal procedure herein described has been instituted.

117.3 Closing streets. When necessary for public safety, the building official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures and prohibit the same from being used.

117.4 Emergency repairs. For the purposes of this section, the building official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

117.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the building official. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located to recover the

costs incurred by the jurisdiction for the performance of the emergency work.

117.6 Unsafe equipment. Equipment deemed unsafe by the building official shall not be operated after the date stated in the written notice unless the required repairs or changes have been made and the equipment has been approved, or unless an extension of time has been secured from the building official in writing.

117.6.1 Authority to seal equipment. In the case of an emergency, the building official shall have the authority to immediately seal out of service any unsafe device or equipment regulated by this code.

117.6.2 Unlawful to remove seal. Any device or equipment sealed out of service by the building official shall be plainly identified in an approved manner. The identification shall not be tampered with, defaced or removed except by the building official and shall indicate the reason for such sealing.”

(26) Section 202 is amended by deleting the definition of “agricultural, building” and inserting the following in lieu thereof:

“AGRICULTURAL, BUILDING. A structure located on land zoned agricultural which is designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human residence.”

(27) Section 202 is amended by adding the following definition between the terms “construction documents” and “construction types”:

“CONSTRUCTION TRAILER. A single unit industrialized building that meets all of the following criteria:

1. Has a body width of no more than 12 feet and has a body length not to exceed 60 feet;
2. The unit must be placed on an active construction site and removed within 30 days of the completion of the construction;

- 1 3. The unit shall not be open to the public and shall be for the exclusive use of the
2 on-site contractors to conduct necessary business or to store construction
3 materials related to the construction project; and
- 4 4. All applicable electrical and plumbing installations have approved temporary
5 permits and have received appropriate inspections and occupancy approvals.”
- 6 (28) Subsection 406.[1]3.4 is amended by deleting in item 1 “1/2-inch (12.7 mm)” and
7 inserting in lieu thereof “5/8-inch (15.9 mm)” in the third line.
- 8 (29) Subsection 501.2 is deleted and the following is inserted in lieu thereof:
9 **“501.2 Premises identification.** Address numbers shall be provided on new or
10 renovated buildings as required by Chapter 84 of the Harford County Code.”
- 11 (30) Subsection 508.2 is amended by adding the following exception:
12 **“Exception.** An accessory agricultural use area located within an agricultural building
13 shall be on the level of exit discharge, shall not be greater than 3,000 square feet in
14 area, and the accessory agricultural use area does not exceed the tabular values in Table
15 503 for the allowable height or area for such use.”
- 16 (31) New Section 916 is added as follows:

“SECTION 916

CARBON MONOXIDE ALARMS

19 **916.1 Carbon monoxide alarms.** For new construction, an approved carbon
20 monoxide alarm shall be installed outside of each separate sleeping area in the
21 immediate vicinity of the bedrooms in dwelling units within which fuel-fired
22 appliances are installed and in dwelling units that have attached garages.

23 **916.2 Where required in existing dwellings.** Where work requiring a permit
24 occurs in existing dwellings that have attached garages or in existing dwellings
25 within which fuel-fired appliances exist, carbon monoxide alarms shall be provided
26 in accordance with Section 916.1.

1 **916.3 Alarm requirements.** Single station carbon monoxide alarms shall be listed
2 as complying with UL 2034 and shall be installed in accordance with this code and
3 the manufacturer's installation instructions."

4 (32) Subsection 1101.2 is deleted and the following is inserted in lieu thereof:

5 **"1101.2 Design.** Buildings and facilities shall be designed and constructed to be
6 accessible in accordance with COMAR 05.02.02.

7 **Exception:** The design of covered multi-family dwellings as set forth in COMAR
8 05.02.02.05B(9) shall be in accordance with this chapter and ICC A117.1."

9 (33) New Subsection 1106.8 is added as follows:

10 **"1106.8 Identification.** Each accessible parking space provided shall be identified as
11 set forth in COMAR 05.02.02.07D."

12 (34) SUBSECTION 1301.1.1 IS HEREBY DELETED AND THE FOLLOWING IS
13 INSERTED IN LIEU THEREOF:

14 **"1301.1.1 CRITERIA.** ANY BUILDING OR STRUCTURE REQUIRED TO
15 COMPLY WITH THE INTERNATIONAL ENERGY CONSERVATION CODE
16 FOR WHICH AN APPLICATION FOR PERMIT WAS RECEIVED PRIOR TO
17 JULY 1, 2012 SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE
18 WITH THE 2009 INTERNATIONAL ENERGY CONSERVATION CODE. ANY
19 BUILDING OR STRUCTURE REQUIRED TO COMPLY WITH THE
20 INTERNATIONAL ENERGY CONSERVATION CODE FOR WHICH AN
21 APPLICATION FOR PERMIT IS MADE ON OR AFTER JULY 1, 2012, SHALL BE
22 DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE 2012
23 INTERNATIONAL ENERGY CONSERVATION CODE.

24 [(34)](35) Figure 1608.2 is amended by adding the following note:

25 "1. The ground snow load, p_g , for Harford County, Maryland shall be 30 psf."

26 [(35)](36) Subsection 1612.3 is amended by deleting "insert name of jurisdiction" in the seventh

1 line and inserting in lieu thereof "Harford County, Maryland" and by deleting "insert
2 date of issuance" starting in the seventh line and inserting in lieu thereof "January 7,
3 2000".

4 [(36)](37) Subsection 1809.5 is amended by deleting Method 1 and inserting in lieu thereof "1.
5 Extending below the frost line established as 30" below final grade."

6 [(37)](38) Chapter 29 is deleted. Chapter 202 of the Harford County Code applies.

7 [(38)](39) New Subsection 3001.1.1 is added as follows:

8 **"3001.1.1 Maryland State Elevator Code.** The provisions of this code are in
9 addition to the requirements in the Maryland State Elevator Code. If a conflict between
10 this code and the state code exists, the requirements in the state code shall apply."

11 [(39)](40) Subsection 3103.1 is amended by adding "within any 365-consecutive-day period or,
12 with the approval of the building official, multiple periods equaling fewer than 180
13 days within any 365-consecutive-day period" after the word "days" in the second line.

14 [(40)](41) Subsection 3103.1.1 is amended by deleting "120 square feet (11.16 mm)" in the
15 second line and inserting in lieu thereof "350 square feet (32.55 mm)" and by deleting
16 "10" in the fifth line and inserting in lieu thereof "50".

17 [(41)](42) New Subsection 3301.3 is added as follows:

18 **"3301.3 Housekeeping.** Rubbish and trash shall not be allowed to accumulate on
19 construction sites and shall be removed as soon as conditions warrant. Combustible
20 rubbish shall be removed promptly and shall not be disposed of by burning on the
21 premises or in the immediate vicinity. The entire premises and area adjoining around
22 the operation shall be kept in a safe and sanitary condition."

23 [(42)](43) Subsection 3401.3 is amended by deleting "International Property Maintenance Code,
24 International Private Sewage Disposal Code" starting in the sixth line.

25 [(43)](44) Subsection 3401.[5]6 is amended by adding "or the Maryland Rehabilitation Code
26 (MBRC) set forth in COMAR 05.16.01-.08." between the words "code" and "shall" in

the second line.

[(44)](45) Subsection 3412.2 is amended by deleting “[date to be inserted by the jurisdiction.

Note: It is recommended that this date coincide with the effective date of building codes within the jurisdiction]” and inserting in lieu thereof “March 1, 1968”.

Article II. [2009]2012 International Residential Code

§ 82-3. Adoption of [2009]2012 International Residential Code by reference.

A. The [2009]2012 International Residential Code published by the International Code Council, Inc., is hereby adopted and by reference thereto is made a part of this chapter with the same force and effect as though set out in full herein, save and except such changes, amendments, revisions, deletions, subsections and/or additions as specified in this chapter. If conflicts with this code, or with changes, amendments, revisions, deletions, subsections and/or additions to that code are found elsewhere in the County Code, the most restrictive provisions shall govern.

B. At least one copy of this code and supplements thereto shall be on file and open for public use, examination and inspection in the office of the Director of Administration and in the office of the Council Administrator.

§ 82-4. Modifications.

The following sections are changes or additions to certain sections of the [2009]2012 International Residential Code:

(1) Subsection R101.1 is amended by deleting “name of jurisdiction” and inserting in lieu thereof “Harford County, Maryland”.

(2) New Subsection R101.4 is added as follows:

“**R101.4 Safeguards during construction.** The provisions of Chapter 33 of the 2009 International Building Code as adopted by Article I of this chapter shall be applicable to all construction sites possessing a valid building permit.”

(3) Subsection R102.5 is deleted and the following is inserted in lieu thereof:

“**R102.5 Appendices.** Provisions in Appendix A, Sizing and Capacities of Gas

Piping; Appendix B, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I, Appliances, and Appliances listed for use and Type B vents; Appendix C, Exit Terminals of Mechanical Draft and Direct-vent Venting Systems; Appendix D, Recommended Procedure for Safety Inspection of an Existing Appliance Installation; Appendix E, Manufactured Housing Used as Dwellings; Appendix G, Swimming Pools, Spas and Hot Tubs; Appendix H, Patio Covers; Appendix J, Existing Buildings and Structures; and Appendix K, Sound Transmission, shall be deemed as part of this code.”

(4) Sections R103 through R114 of the [2009]2012 International Residential Code are deleted and Sections 102 through 117 of the [2009]2012 International Building Code, as amended, shall be applicable.

(5) Section R202 is amended by deleting the definition of “manufactured home” and inserting in lieu thereof:

“MANUFACTURED HOME. Manufactured home means a structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. Calculations used to determine the number of square feet in a structure will be based on the structure’s exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions will include all expandable room, cabinets and other projections containing interior spaces, but do not include bay windows. This term includes all structures which meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to § 3282.13 and complies with the standards set forth in Part 3280.

Note: for mobile homes built prior to June 15, 1976, a label certifying compliance to the standard for mobile home, NFPA 501, ANSI 119.1, in effect at the time of manufacture is required. For the purpose of these provisions, a mobile home shall be considered a manufactured home.”

- (6) Table R301.2(1) is amended by adding the following design values: “Ground snow load - 30 psf; Wind - 90 mph; Topographic effects – no; Seismic design category - b; Weathering - severe; Frost line depth - 30 inches (762 mm); Termite - moderate to heavy; Decay - slight to moderate; Winter design temp - 13° F.; Ice barrier underlayment required - no; Flood hazards - July 16, 1981 and January 7, 2000; Air freezing index - 554; Mean annual temp - 31°F.”.

- (7) New Subsection R302.1.1 is added as follows:

“R302.1.1 Balconies and decks on townhomes. All portions of balconies and decks on townhomes constructed of combustible materials shall not be located closer than 24 inches (609.6 mm) to any property line.”

- [(8) Subsection R311.2.2 is amended by adding the following exception:

“Exception. Enclosed accessible spaces under stairs when protected by an automatic sprinkler system installed in accordance with Section 903.3.1.3 of the 2009 International Building Code.”]

- [(9)](8) New Subsection R312.1.1.1 is added as follows:

“R312.1.1.1 Areaway guards. A guardrail or other approved barrier shall be installed on areaway walls with a grade level elevation difference of greater than 48 inches (1219.2 mm). Guards shall be constructed in accordance with Section R312.”

- [(10)](9) Subsection R313.1.1 is amended by adding “or NFPA 13D” at the end of the subsection.

- [(11) Subsection R313.2 is amended by deleting “2011” in the first sentence and replacing with “2012”.]

1 ~~(10) RESERVED.~~

2 (10) SUBSECTION R313.2 IS AMENDED BY ADDING "EFFECTIVE JULY 1, 2012," PRIOR
3 TO "AN AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE INSTALLED IN
4 ONE- AND TWO-FAMILY DWELLINGS.

5 [(12)] (11) Subsection R313.2 is amended by deleting the exception and adding the following:

- 6 "1. An automatic residential fire sprinkler system shall not be required for
7 additions or alterations to existing buildings that are not already provided with
8 an automatic residential sprinkler system.
- 9 2. An automatic residential fire sprinkler system shall not be required for a new
10 one- or two-family dwelling constructed on a lot served by an existing service
11 line from a water main to the property line that is less than a nominal 1 inch
12 size or a lot subject to a valid unexpired public works utility agreement that was
13 executed prior to March 1, 2011. For a property to qualify for an exemption
14 due to an undersized existing water service line, the water service line must be
15 (1) approved and owned by the public or private water system that owns the
16 mains, (2) installed prior to March 1, 2011, and (3) fully operational from the
17 public or private main to a curb stop or meter pit located at the property line."

18 [(13)](12) Subsection R319.1 is deleted and the following is inserted in lieu thereof:

19 **"R319.1 Premises identification.** Address numbers shall be provided on new or
20 renovated buildings as required in Chapter 84 of the Harford County Code."

21 [(14)](13) Subsection R405.1 is amended by adding "in accordance with the Harford County
22 Plumbing Code" after the word "system" in the seventh line.

23 [(15)](14) Subsection R405.1 is amended by deleting the exception at the end of the subsection.

24 [(16)](15) Subsection R506.2.2 is amended by deleting the exception at the end of the subsection.

25 [(17)](16) New Subsection R703.9.5 is added as follows:

26 **"R703.9.5 Special inspections.** Special inspections shall be required for all EIFS applications.

Exceptions:

1. Special inspections shall not be required for EIFS applications installed over a water-resistive barrier with a means of draining moisture to the exterior.
2. Special inspections shall not be required for EIFS applications installed over masonry or concrete walls.”

[(18)](17) New Subsection R903.2.3 is added as follows:

“R903.2.3 Drip edge. Provide drip edge at eaves and gables of shingle roofs. Overlap to be a minimum of 2 inches (51 mm). Eave drip edges shall extend ¼ inches (6.4 mm) below sheathing and extend back on the roof a minimum of 2 inches (51 mm). Drip edge shall be mechanically fastened a maximum of 12 inches (305 mm) on center.”

[(19)](18) New Subsection R903.4.2 is added as follows:

“R903.4.2 Gutters and leaders. Gutters and leaders shall be installed in accordance with the Harford County Plumbing Code. All rain leaders or extensions shall not discharge closer than 10 feet from any lot line so as not to be a nuisance to surrounding properties.”

[(20)](19) Chapter 11 is deleted in its entirety and the [2009]2012 International Energy Conservation Code is inserted in lieu thereof.

[(21)](20) Part VII, Chapters 25, 26, 27, 28, 29, 30, 31 and 32 are deleted and the Harford County Plumbing Code is inserted in lieu thereof except for Subsection P2904, Dwelling unit fire sprinkler systems, which shall remain as part of this code.

[(22)](21) Part VIII, Chapters 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42 are deleted and the Harford County Electrical Code is inserted in lieu thereof.

[(23)](22) Subsection AE101.1 is amended by deleting the sentence “These provisions shall be applicable only to a manufactured home used as a single dwelling unit installed on privately owned (nonrental) lots and shall apply to the following:” and inserting the

1 following sentence in lieu thereof: "These provisions shall be applicable only to a
2 manufactured home used as a single dwelling unit installed on private and rental lots
3 and shall apply to the following:".

4 [(24)](23) Subsection AE201.1 is amended by deleting the definition of "manufactured home"
5 and inserting the following in lieu thereof:

6 **"MANUFACTURED HOME.** Manufactured home means a structure, transportable
7 in one or more sections, which in the traveling mode is 8 body feet or more in width or
8 40 body feet or more in length or, when erected on site, is 320 or more square feet, and
9 which is built on a permanent chassis and designed to be used as a dwelling with or
10 without a permanent foundation when connected to the required utilities, and includes
11 the plumbing, heating, air-conditioning and electrical systems contained therein.
12 Calculations used to determine the number of square feet in a structure will be based on
13 the structure's exterior dimensions measured at the largest horizontal projections when
14 erected on site. These dimensions will include all expandable room, cabinets and other
15 projections containing interior spaces, but do not include bay windows. This term
16 includes all structures which meet the above requirements except the size requirements
17 and with respect to which the manufacturer voluntarily files a certification pursuant to
18 § 3282.13 and complies with the standards set forth in Part 3280.

19 NOTE: For mobile homes built prior to June 15, 1976, a label certifying compliance to
20 the standard for mobile home, NFPA 501, ANSI 119.1, in effect at the time of
21 manufacture is required. For the purpose of these provisions, a mobile home shall be
22 considered a manufactured home."

23 [(25)](24) Subsection AE201.1 is amended by deleting the definition of "privately owned
24 (nonrental) lot" and inserting the following in lieu thereof:

25 **"PRIVATELY OWNED (NONRENTAL) LOT.** A parcel of real estate outside of a
26 manufactured home rental community (park) where the land and the manufactured

home to be installed thereon are held in common ownership.”

[(26)](25) Subsection AE201.1 is amended by adding the following definition:

“**RENTAL LOT.** A lot or space that is rented in an approved manufactured home community or park.”

[(27)](26) Subsection AE201.1 is amended by adding the following definition:

“**INDUSTRIALIZED BUILDING.** As defined by Section 12-301(d) of the Public Safety Article, of the Annotated Code of Maryland, ‘industrialized building’ means a building assembly or system of building subassemblies manufactured in its entirety, or in substantial part, offsite and transported to the point of use for installation or erection, with or without other specified components, as a finished building or as a part of a finished building comprising two or more industrialized building units. An industrialized building need not have electrical, plumbing, heating, ventilating, insulation or other service systems; but when such systems are installed at the offsite manufacture or assembly point they shall be deemed a part of such building assembly or system of building assemblies. Industrialized building does not include open frame construction which can be completely inspected onsite. An ‘industrialized building’ does not include a mobile home.”

[(28)](27) Section AE301 is deleted in its entirety.

[(29)](28) Section AE302 is deleted in its entirety.

[(30)](29) Section AE303 is deleted in its entirety.

[(31)](30) Section AE304 is deleted in its entirety.

[(32)](31) Subsection AE602.1 is amended by adding the phrase “or ANSI A225.1-1994” in the last line of the last paragraph after the word “designer”.

Article III. [2009]2012 International Mechanical Code

§ 82-5. Adoption of [2009]2012 International Mechanical Code by reference.

A. The [2009]2012 International Mechanical Code published by the International Code Council,

1 Inc., is hereby adopted and by reference thereto is made a part of this chapter with the same
2 force and effect as though set out in full herein, save and except such changes, amendments,
3 revisions, deletions, subsections and/or additions as specified in this chapter. If conflicts
4 with this code, or with changes, amendments, revisions, deletions, subsections and/or
5 additions to that code are found elsewhere in the County Code, the most restrictive
6 provisions shall govern.

7 B. At least one copy of this code and supplements thereto shall be on file and open for public
8 use, examination and inspection in the office of the Director of Administration and in the
9 office of the Council Administrator.

10 C. The requirements of this article shall not apply to the agricultural structures that do not
11 require a building permit as specified on the Agricultural Buildings Permitting Requirements
12 Table as shown in Attachment 1 in Chapter 82.

13 **§ 82-6. Registration.**

14 A. As used in this code the term "provide heating, ventilation, air-conditioning or refrigeration
15 services" shall mean "to install, maintain, alter, remodel or repair heating systems, cooling
16 systems, refrigeration systems, ventilation systems or hydronic systems."

17 B. All persons that intend to "provide heating, ventilation, air-conditioning or refrigeration
18 services" in Harford County shall be registered with the Division of Plumbing Services and
19 shall have a current certificate of registration.

20 C. To obtain a certificate of registration, the applicant shall have been qualified and approved by
21 the State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration
22 Contractors.

23 D. Master, master restricted, limited heating, ventilation, air-conditioning and refrigeration
24 certificate. Any applicant who applies for a master, master restricted or a limited heating,
25 ventilation, air-conditioning and refrigeration certificate to perform mechanical services shall
26 provide the following information:

(1) A current license number issued by the State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors.

(2) A current business address with phone number.

(3) A current certificate of insurance equal to or greater than such amount as required by the State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors.

E. Journeyman, apprentice certificate. Any applicant who applies for a journeyman or apprentice certificate to assist in performing mechanical services shall provide a current license number issued by the State of Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors.

F. Fees for certificate of registration shall be as set forth in Chapter 157 of the Harford County Code, as amended.

G. Master, master restricted and limited heating, ventilation, air-conditioning and refrigeration certificates issued pursuant to this section shall expire on April 30 of each even-numbered year, and all such certificates shall be issued for a 2-year period. All journeyman and apprentice certificates issued pursuant to this section shall expire on October 31 of each even-numbered year.

H. The administrative authority may, in its discretion, suspend or revoke the certificate of any person who makes any false or misleading statement in an application; who sells, lends or otherwise permits any improper use of a certificate, obtains permits for others to "provide heating, ventilation, air-conditioning or refrigeration services" or who commits any violation of the Harford County Mechanical Code.

I. Upon receipt of written requests directed to the administrative authority, the administrative authority, in its discretion, may suspend or revoke the certificate of any person who commits any violation of the Harford County Mechanical Code or any other law or regulation governing the conduct to provide heating, ventilation, air-conditioning or refrigeration services.

(1) No certificate shall be suspended or revoked except after a hearing before the administrative authority of which the certificate holder shall receive at least 5 days' notice, in writing, together with a statement of the charges. Upon such hearing, the administrative authority may suspend any certificate for such a period of time as it may find proper or may revoke same.

(2) In the event of a revocation, no application for the reinstatement of a revoked certificate shall be entertained until the expiration of 6 months from the date of such revocation. At the end of such 6-month period, the administrative authority may, in its discretion, reinstate a revoked certificate.

J. Any certificate holder shall notify the administrative authority immediately of any changes in location of business, employer, phone number or insurance coverage.

K. Any certificate of insurance required to be submitted under this section shall provide that in the event the insurance required under this chapter is cancelled, the insurer shall notify the Harford County Division of Plumbing Services within 10 days after the date of cancellation.

§ 82-7. Permit applicants.

A. No work regulated by this code shall be commenced without a permit being issued by the Department of Inspections, Licenses and Permits. Only to the extent that a registrant with the Department of Inspections, Licenses and Permits is authorized to do work, shall a registered master, master restricted, limited heating, ventilation, air-conditioning and refrigeration contractor be eligible to apply for permits authorized by this code.

B. A mechanical permit issued in accordance with § 82-12 of this Code may be issued to the owner of a single-family dwelling occupied exclusively by the owner upon the following conditions:

(1) All work must be done in accordance with this code.

(2) The owner shall be tested and qualified by the Department of Inspections, Licenses and Permits in accordance with requirements established by the Mechanical Board.

- 1 (3) The owner shall sign an affidavit agreeing to comply with all applicable provisions of
2 this chapter and attesting that the location in which the work will be performed is the
3 applicant's primary residence.

4 **§ 82-8. Change of registered contractors.**

5 Upon written notification by a master, master restricted, limited heating, ventilation, air-conditioning
6 and refrigeration contractor to the Department of Inspections, Licenses and Permits, a permit may be
7 canceled upon satisfactorily meeting the following requirements:

- 8 A. A minimum 7 working day waiting period commencing the day that the Department of
9 Inspections, Licenses and Permits receives the cancellation request.
- 10 B. The Department of Inspections, Licenses and Permits certifies that the work performed to date
11 is code compliant and that the work has been deemed not to pose a threat to the health, safety or
12 welfare of the public.
- 13 C. In the case where another registered contractor will be performing the remainder of the work,
14 the new registered contractor shall submit to the Department of Inspections, Licenses and
15 Permits an assumption agreement on a form provided by the Department prior to a new permit
16 being issued.

17 **§ 82-9. Plans and specifications.**

- 18 A. Plans and specifications for the installation of all heating, ventilation, air-conditioning or
19 refrigeration systems shall:

- 20 (1) Be approved by a licensed Maryland HVACR master, HVACR master restricted
21 licensed for the system being installed, or a Maryland licensed professional engineer or
22 architect; and
- 23 (2) Have affixed to them the name and license number of the Maryland HVACR master,
24 HVACR master restricted licensed for the system being installed, or Maryland licensed
25 professional engineer or architect.

- 26 B. For installations other than one-family and two-family dwellings, adequate details of

mechanical and electrical work, including computations, diagrams and other essential technical data, shall be filed. All engineering plans and computations shall bear the signature and license number of the licensed engineer, architect or mechanical licensee responsible for the design. For one-family and two-family dwellings, a residential heat gain and loss load calculation, for example, a Manual J evaluation or equivalent supporting documentation acceptable to the Department, shall be filed for new installations at the time of permit application. For replacement of a condensing unit, air-handling unit, furnace or boiler in an existing HVACR system in one-family and two-family dwellings the permit application shall be accompanied with documentation reflecting calculations by which the sizing of the equipment to be installed was determined. A signed and dated copy of this document shall be retained by the contractor, and a copy shall be left with the homeowner upon completion of the work. Plans shall indicate how required structural and fire resistance rating integrity will be maintained and where penetrations will be made for electrical, mechanical, plumbing and communication conducts, pipes and systems.

§ 82-10. Modifications.

A. Definitions.

- (1) As used in this code, the term "Code Official" means the Director of the Department of Inspections, Licenses and Permits.
- (2) As used in this code, the term "Department of Mechanical Inspection" means the Department of Inspections, Licenses and Permits.
- (3) As used in this code, the term "Harford County Hazardous Materials Team" means the Harford County Hazardous Materials Team as created by the Harford County Division of Emergency Operations.
- (4) As used in this code, the term "International Fuel Gas Code" means the Harford County Plumbing Code, Chapter 202 (§ 202-1, *et seq.*) of the Harford County Code,

as amended.

- (5) As used in this code, the term “International Plumbing Code” means the Harford County Plumbing Code, Chapter 202 (§ 202-1, *et seq.*) of the Harford County Code, as amended.

B. The following sections are changes or additions to certain sections of the [2009]2012 International Mechanical Code:

- (1) Subsection 101.1 is amended by deleting “[name of jurisdiction]” and inserting in lieu thereof “Harford County, Maryland”.

- (2) Subsection 101.2.1 is deleted and the following is inserted in lieu thereof:
“**101.2.1 Appendices.** Provisions in Appendix A, Combustion Air Openings and Chimney Connector Pass-Throughs, shall be deemed as part of this code.”

- (3) Subsection 106.2 is amended by adding the following:

“9. Repair, service and maintenance of existing equipment.”

- (4) Subsection 106.3.1 is amended by deleting “by a registered design professional” in the sixth line and inserting “in accordance with § 82-11 of this article” in lieu thereof.

- (5) New Subsection 106.3.4 is added as follows:

“**106.3.4 Applicants.** Only an individual registered in accordance with § 82-8 of this article shall be eligible to make application for permit to do work in accordance with this code.”

- (6) Subsection 106.4.3 is amended by deleting “180 days” in the fourth line and inserting “12 months” in lieu thereof.

- (7) New Subsection 106.4.5.1 is added as follows:

“**106.4.5.1 Withholding permits.** The Code Official may withhold the issuance of any permit and/or place a hold on inspections if the applicant, the owner or any individual listed on the application as a responsible officer (if the applicant is a

business entity) has failed to remedy or correct any existing/alleged violation of the Harford County Code on any construction projects in Harford County for which the applicant has been cited by any County agency.”

(8) Subsection 106.5.1 is amended by deleting “100 percent of the usual permit fee” and replacing with “an administrative fee in accordance with § 157-30 of the Harford County Code, as amended”.

(9) Subsection 106.5.2 is amended by deleting “the following schedule [jurisdiction to insert [appropriate] APPROPRIATE schedule]” and replacing with “§ 157-30 of the Harford County Code, as amended”.

(10) Subsection 106.5.3 is hereby deleted and the following is inserted in lieu thereof:
“106.5.3 Fee refunds. The Code Official shall authorize the refunding of fees in accordance with § 157-16B and § 157-16C of the Harford County Code, as amended.”

(11) Subsection 108.4 is amended by deleting “[specify offense]” in the seventh line, “[amount]” in the eighth line and “[number of days]” in the ninth line and replacing with “misdemeanor”, “\$1,000.00” and “90 days” respectively.

(12) Subsection 108.5 is amended by deleting “any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than [amount] dollars or more than [amount] dollars”.

(13) Subsection 109.1 is amended by adding “as established in Article I of this chapter”.

(14) Subsection 202, General definitions, is amended by adding the following definition between the definitions of “registered design professional” and “return air”:

“Repair. To put back in good condition, fix, to renew parts, to make existing systems function. Anything that can be made to work is repairable. The replacement of a system or a condenser unit, air-handling unit, furnace or boiler which make up a

system shall constitute altering or remodeling, not repair.”

- (15) Subsection 301.11 is amended by adding “Temporary repairs may not be made to a damaged heat exchanger.” at the end of this subsection.

Article IV. Transitional Provisions

§ 82-11. Status of building and mechanical permits applied prior to effective date of this chapter.

This chapter shall not apply to buildings for which [a valid] AN APPLICATION FOR A building or mechanical permit was [applied for] RECEIVED prior to the effective date of this chapter UNLESS THE PERMIT ISSUED PURSUANT TO SUCH APPLICATION HAS EXPIRED OR BEEN REVOKED IN ACCORDANCE WITH ARTICLE I OR ARTICLE III OF THIS CHAPTER.

§ 82-12. Saving clause.

Nothing in this chapter hereby adopted shall be construed to affect any suit or proceedings pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

~~Section 2. — And Be It Further Enacted that this Act shall take effect 60 calendar days from the date it becomes law.~~

Section 2. — And Be It Further Enacted that this Act is hereby declared to be an Emergency Act necessary for the protection of the public health, safety and welfare by providing for necessary local amendments regarding the administration and enforcement of the International Codes adopted by the Maryland Building Performance Standards, and except as provided for in Section 3 of this Act, this Act shall take effect on the date it becomes law.

~~Section 3. — And Be It Further Enacted that except for in Subsection 1301.1.1, all other provisions of this Act shall take effect 60 calendar days from the date it becomes law.~~

Section 3. — And Be It Further Enacted that except for Subsection R313.2, all other provisions of this

1 Act shall take effect July 1, 2012.

EFFECTIVE: December 13, 2011

*The Council Administrator does hereby certify that
fifteen (15) copies of this Bill are immediately available for
distribution to the public and the press.*

Council Administrator

BILL NO. 11-51
As Amended

HARFORD COUNTY BILL NO. 11-51 (As Amended)

Brief Title Building, Residential & Mechanical Codes

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Pamela Meister

Council Administrator

Date December 6, 2011

ENROLLED

Billy Bonifera

Council President

Date December 6, 2011

BY THE COUNCIL

Read the third time.

Passed: LSD 11-27

Failed of Passage: _____

By Order

Pamela Meister

Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 7th day of December, 2011 at 3:00 p.m.

Pamela Meister

Council Administrator



BY THE EXECUTIVE

David L. Craig

COUNTY EXECUTIVE

APPROVED: Date December 13, 2011

BY THE COUNCIL

This Bill No. 11-51 As Amended, having been approved by the Executive and returned to the Council, becomes law on December 13, 2011.

EFFECTIVE DATE: December 13, 2011

Pamela Meister

Pamela Meister
Council Administrator

BILL NO. 11-51
As Amended

Agricultural Building Permit Requirements Table

	Structures Exempt in accordance with Subsection 105.2(1) Structures not greater than 200sf NO PERMIT APPLICATION REQUIRED	Structures Exempt in accordance with Subsection 105.2(14) Agricutural Exemption NO PERMIT APPLICATION REQUIRED	Subordinate accessory use within an agricultural building provided for in Subsection 105.2(14) In accordance with Subsections 302.2 and 302.2.1. 3000 sf/750 sf Rule	Not within the scope of the Building Code
Livestock shelters or buildings, including shade structures and milking barns	X	X		
Poultry buildings or shelters	X	X		
Barns	X	X		
Storage or equipment and machinery used exclusively in agriculture	X	X		
Horticultural structures, including detached production greenhouses and crop protection shelters	X	X		
Sheds	X	X		
Grain Silos	X	X		
Stables and indoor riding arenas, whether or not open to the general public, up to 750 sf	X	X		
Agricultural retail buildings, up to 3,000 sf	X	X	X	
Farm Tours of agricultural structures with no accessory use				X
Areas used for parties and receptions within Agricultural buildings	X		X	
Private parties and receptions within an agricultural building				X
Parties and receptions within an agricultural building open to the general public, up to 750 sf			X	
Indoor dining areas for less than 30 people, up to 750 sf	X		X	
Auction houses	X		X	
Restaurants, up to 750 sf	X		X	
Private bathrooms and offices within an agricultural buildings			X	